



David B. Cohen
Mayor

CITY OF NEWTON, MASSACHUSETTS

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Public Hearing Date:	May 11, 2004
Land Use Action Date:	June 8, 2004
Board of Aldermen Action Date:	June 21, 2004
90-Day Expiration Date:	August 9, 2004

TO: Board of Alderman

FROM: Michael Kruse, Director of Planning and Development
Robert Merryman, Senior Planner

DATE: May 7, 2004

SUBJECT: Petition #210-04 of OMNIPOINT HOLDINGS, INC. (a wholly-owned subsidiary of T-Mobile USA, Inc. for a SPECIAL PERMIT/SITE PLAN APPROVAL for installation of a total of four wireless communications antennae to be attached to chimneys on top of Worcester Hall and Fuller Hall, GPS/E911 antennae, and associated equipment at 210 HERRICK ROAD (Newton Theological) Ward 6, on land known as Section 65, Block 19, Lot 45 containing approximately 872,000 sq. ft of land in a SINGLE RESIDENCE 3 DISTRICT.

CC: Mayor David B. Cohen

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will consider in its discussion at a subsequent Working Session.

I. ELEMENTS OF THE PETITION

Omnipoint Communications filed an application for special permit and site plan approval to install a total of four antennas, split in two different locations on campus. The petitioners are proposing two antennas on Worcester Hall, one located on the northern chimney, and one located on the southern chimney along with the GPS/E911 antennae. The associated BTS equipment will be located on the ground in a new brick-faced shelter and HVAC unit with landscape screening to be installed beside the new BTS equipment shed. The petitioners are also proposing to install two antennas on Fuller Hall, along with a GPS unit, all located on the southern most chimney. The associated BTS equipment and HVAC unit will be located inside the attic of Fuller Hall.

The four proposed wireless antennas would be 12" wide, 4" deep and 72" high panels painted to match the brick chimneys. The GPS Antennas (for station location only) are less than 4 inches in diameter and the E911 Antenna (provides enhanced 911 emergency service for the City) is 19 inches long and 1 3/8 inches in diameter. The submitted plans were reviewed and conditionally approved by the Newton Historical Commission on April 29, 2004 (*SEE ATTACHMENT "A"*).

The submitted plans depict an 12 inch wide external cable connection running down the side of Worcester Hall to the base transceiver station (BTS) that will be housed in the new brick shed. The cables for Fuller Hall will be internal cable connections from the antenna to the base transceiver station (BTS) that will be housed in the attic.

The Chief Zoning Code Official has completed his zoning review of this petition, dated April 29, 2004 (SEE ATTACHMENT "B").

II. ZONING RELIEF

The petitioners are seeking approval under or relief from the following sections of the Zoning Ordinance:

- *Section 30-18A(e)(3) allows the Board of Aldermen to grant a special permit for façade mounted antenna in a Single Residence 3 District.*
- *Section 30-18A(e)(10) allows the Board of Aldermen to grant a special permit for ancillary equipment within the setback.*
- *Section 30-15, Footnote 1 of Table II allows the Aldermen to approve a smaller rear/side setback requirement than the 30 foot requirement of a multi use institution, when 2 non-profits share a campus.*
- *Section 30-23 for Site Plan Approval; and*
- *Section 30-24 for Special Permit Approval.*

III. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

The subject antennas are located in the middle of the Newton Theological Institute and Hebrew College Campuses on top of the hill in Newton Centre. The predominant land uses in the neighborhood are institutional, and single- and two-family dwellings. The site is located in a Single Residence 3 District.

The proposed antennas located on the Worcester Hall roof would be next to the Hebrew College Campus and the proposed antennas located on the Fuller Hall roof would be adjacent to the new residential development, known as the "Terraces" currently under construction on land formerly owned by Newton Theological.

IV. ANALYSIS

A. Section 30-18A Review Criteria

The criteria for wireless communications equipment are specifically designed to address issues relating to this kind of special permit: location of antennae and ancillary equipment, screening, and camouflaging. The antennae will be mounted

on existing chimneys on the ends of both buildings. The antennas will be painted to match the existing chimneys. The cable from the two antennae on Worcester Hall will run through the interior of the roof, then exit the side wall and run down the outside of the 3 to 4 story structure to the base transceiver station in a new shed in the rear yard. The proposed antennas would be located approximately 58 feet above grade on Worcester Hall and approximately 47 feet above grade on Fuller Hall. The Fuller Hall equipment and cables will be located (interior) within the attic. (*SEE ATTACHMENT "C": Photos of the Worcester and Fuller Hall Chimneys*).

B. Relevant Site Plan Approval Criteria

1. Screening of Structures

The proposed antennae and equipment will be adequately screened, with the exception of the Fuller Hall antennas. The Fuller Hall antennas are proposed to be placed too high on the chimneys to allow for adequate screening. *Both the Planning Department and the Newton Historical Commission believe that the height of the Fuller Hall antennas should be lowered below the top edge of the chimney to eliminate the antennas silhouetting when viewed from the ground. In addition, department staff and the Commission believe that the cables at Worcester Hall should be run internally to meet the design and operating criteria of the Ordinance, and to preserve the historic integrity of the structure. The petitioners should modify the plans and elevations with these changes, prior to the Working Session.*

2. Avoidance of removal or disruption of historic resources on or off the site

At their April 29, 2004 meeting, the Newton Historical Commission reviewed and conditionally approved the plans so long as the antennas are mounted below the top-edge of the chimneys and any cable conduits are located inside of the buildings. (*SEE ATTACHMENT "A"*).

C. Relevant Special Permit Criteria

1. The specific site is an appropriate location for such use/structure.

The petitioners are proposing this installation as part of a regional communication system to provide coverage to the Newton Centre area. The Planning Department believes that with the proposed conditions referenced above this site is an appropriate location for such use.

2. The use as developed and operated will not adversely affect the neighborhood.

The proposed antennae, with the conditions recommended by the Planning Department and the Newton Historical Commission, should not adversely affect the neighborhood.

3. There will be no nuisance or serious hazard to vehicles or pedestrians.

The petitioners estimate that there will be only one trip per month for maintenance of the equipment. As such, this should have no adverse impact on vehicular or pedestrian circulation.

D. Section 30-15, Table II (Footnote 1)

The petitioners are proposing to locate a BTS Shed that would be attached to the rear of Worcester Hall and would be 17 feet from the property line of the abutting Hebrew College. Footnote 1 of Section 30-15, Table II allows the Aldermen to approve a rear/side setback requirement less than the required 30 feet necessary, when 2 non-profits share a campus. The 17 foot setback appears adequate for the proposed shed given the change in topography and abutting Hebrew College parking lot.

V. SUMMARY

Wireless antenna installations are only allowed by special permit in residential districts under the existing Zoning Ordinance. At their April 29, 2004 meeting, the Newton Historical Commission reviewed and conditionally approved the plans so long as the antennas are mounted below the top-edge of the chimneys and any cable conduits are located inside of the buildings. With these changes, the Planning Department believes the proposed antenna installation would meet the design and operating criteria under the Wireless Communications Ordinance.

Prior to the close of the public hearing:

1. ***The petitioners should submit revised plans that shall change plan "Z-2" to depict internally mounted cables, instead of the outside mounted cable tray depicted on plans on the outside wall of Worcester Hall.***
2. ***The petitioners should submit revised plans that depict the two wireless antennas proposed on the chimneys at Fuller Hall be lowered 6 inches to prevent silhouetting from the view from the ground.***



WORCESTER HALL



FULLER HALL